

## **AGENDA**

### **BOARD OF MAYOR AND ALDERMEN**

**January 25, 2005**

**7:30 PM**

**Aldermanic Chambers  
City Hall (3<sup>rd</sup> Floor)**

1. Mayor Baines calls the meeting to order.
2. The Clerk calls the roll.

### **CONSENT AGENDA**

3. Mayor Baines advises if you desire to move any of the following items from the Consent Agenda, please so indicate. If none of the items are to be removed, one motion only will be taken at the conclusion of the presentation.

### **Accept Minutes**

- A. Minutes of meetings of the Board of Mayor and Aldermen held on October 19, 2004 (two meetings); October 26, 2004 (one meeting); November 3, 2004 (one meeting); November 16, 2004 (two meetings); November 22, 2004 (one meeting); November 30, 2004 (one meeting); December 7, 2004 (two meetings); and December 13, 2004 (one meeting).  
*(Note: available for viewing at the Office of the City Clerk and forwarded under separate cover to Mayor and Aldermen.)*

### **Pole Petitions**

- B. PSNH Pole Petition #11-1042 (2 poles) located on Mammoth Road; and PSNH Pole Petition #11-1049 (1 pole) located on Newstead Way.

### **Informational – to be Received and Filed**

- C. Communication from the City Clerk advising of the recent appointment of Deputy City Clerk Johnson to the Board of Directors of the New England Municipal Clerks Institute and Academy.

- D.** Minutes of the MTA Commission meeting held on November 30, 2004 and the Financial and Ridership Reports for the month of November 2004.
- E.** Communication from Comcast submitting a payment in the amount of \$50,000 as called for in Amendment #1 of the franchise agreement.

## **REFERRALS TO COMMITTEES**

### **COMMITTEE ON FINANCE**

- F.** Resolutions:

“Amending the FY2005 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of Ninety Six Thousand Seven Hundred Thirty Eight Dollars and Nine Cents (\$96,738.09) for FY2005 CIP 611305 MNHS Downpayment & Closing Cost Assistance.”

“Authorizing the Finance Officer to effect a transfer of Seven Thousand Three Hundred Thirteen Dollars (\$7,313.00) from Contingency to City Clerk Special Projects.”

## **REPORTS OF COMMITTEES**

### **COMMITTEE ON ACCOUNTS, ENROLLMENT AND REVENUE ADMINISTRATION**

- G.** Advising that they have approved an Ordinance:
    - “Amending Chapter 52: Sewers of the Code of Ordinances of the City of Manchester by amending Section 52.160 (A)(2), Sewer Rental Charges and Section 52.161 Septage Service Charge by increasing the user charges and septage service charges in the City of Manchester.”
- and recommending that same be referred to the Committee on Bills on Second Reading for technical review.

- H.** Recommending that the 2<sup>nd</sup> quarter FY2005 write-off list for the accounts receivable module be approved with the Fire Department invoices removed.
- I.** Advising that it has accepted a request from the City's Internal Auditor to audit the top five departments based on a risk assessment (Tax Collector, Finance Department-Treasury, City Clerk's Office, Traffic, and Police) beginning with the Tax Collector's Office.
- J.** Advising that it has accepted a summary of City loans and notes currently outstanding submitted by the Finance Department.
- K.** Advising that it has accepted the City's Monthly Financial Statements for the six months ended December 31, 2004 for FY2005 submitted by the Finance Department, and is forwarding same to the Board for informational purposes.
- L.** Advising that it has accepted the following Finance Department reports:

  - a) department legend;
  - b) open invoice report over 90 days by fund;
  - c) open invoice report all invoices for interdepartmental billing only;
  - d) open invoice report all invoices due from the School Dept. only;
  - d) listing of invoices submitted to City Solicitor for legal determination; and
  - e) account receivable summary.

and is forwarding same to the Board for informational purposes.

#### **COMMITTEE ON ADMINISTRATION/INFORMATION SYSTEMS**

- M.** Recommending that the proposal from Catholic Medical Center to provide community and medical service at the new William B. Cashin Senior Activity Center be approved contingent upon the recommendations from the Solicitor's Office, attached herein, being adopted. The Committee further recommends that the City Solicitor be authorized to proceed with drafting and execution of documents necessary to implement such recommendations as referenced above.

- N.** Advising that it has approved the revised Procurement Code, attached herein, and is recommending same be referred to the Committee on Bills on Second Reading for technical review.

#### **COMMITTEE ON COMMUNITY IMPROVEMENT**

- O.** Recommending that the Board authorize transfer and expenditure of funds in the amount of \$96,738.09 for FY2005 CIP 611305 Manchester Neighborhood Housing Service Downpayment & Closing Cost Assistance, and for such purpose a resolution and budget authorization has been submitted.
- P.** Recommending that \$7,313.00 be transferred from Contingency to the City Clerk's Office to cover the balance of costs required for purchase of a Canon Filmer/Scanner Model DR5060F. The Committee notes that for such purpose a resolution to transfer the funds has been submitted.
- Q.** Advising that in regards to a request from Burd Engineering Associates on behalf of Violet Gelinas to accept Gobel Street, the Highway Department has been instructed to contact Ms. Gelinas and outline the process for street dedication, which is the preferred method of acceptance for the City.

#### **COMMITTEE ON HUMAN RESOURCES/INSURANCE**

- R.** Recommending that the Human Resources Director proceed with a Request for Information (RFI), as enclosed herein, regarding review of the existing compensation system and report back to the Committee regarding same.
- S.** Recommending that the Tuition Reimbursement Policy, attached herein, be approved.

**JOINT COMMITTEE ON HUMAN RESOURCES/INSURANCE  
AND  
COMMITTEE ON ADMINISTRATION/INFORMATION SYSTEMS**

- T.** Recommending that under Section 3.01 of the City Charter the Board adopt an Economic Division Development Group within the Planning Department to include the Manchester Economic Development Office and Destination Manchester Coordinator, which shall be part of that Division within Planning and further that all necessary paperwork be completed and become effective by February 10, 2005.

**COMMITTEE ON LANDS AND BUILDINGS**

- U.** Recommending that the City authorize the Manchester Housing and Redevelopment Authority (MHRA) to act as a redeveloper for the Northwest Business Park at Hackett Hill under the existing cooperation agreement with such agency; that oversight responsibility for this project be designated to the Committee on Lands and Buildings rather than the Special Civic Center Committee; that the Development Plan for the Northwest Business Park be approved; and that the Mayor be authorized to execute any and all related documents to carry out such recommendations subject to the review and approval of the City Solicitor.

For such purposes attached herein and incorporated by reference are the following:

- Cooperation Agreement – City/MHRA  
(dated November 6, 2002 and executed November 18, 2002)
- First Amendment to Cooperation Agreement  
(to execute - allowing for committee designation by BMA)
- Project Number 4  
Under Cooperation Agreement Dated November 6, 2002  
includes “Exhibit A” Scope of Services  
(to execute - establishing administration of Northwest Business Park Development project)
- Northwest Business Park Development Plan  
(for approval – as revised December 14, 2004; with Exhibit A noted “to be developed”)

### **COMMITTEE ON TRAFFIC/PUBLIC SAFETY**

- V.** Advising that a request from Valerie Anne Dixon for the use of Arms Park for the Annual MS Walk on Saturday, April 16, 2005, has been granted and approved under the direct supervision of the City Clerk, Fire, Highway, Police, Traffic and Risk Departments.
- W.** Recommending that the Board approve a five-year agreement between the City of Manchester and Cameron Real Estate, Inc. for leasing parking spaces in the Victory Parking Garage.
- X.** Recommending that regulations governing standing, stopping, parking and operations of vehicles be adopted and put into effect when duly advertised and posted.
- Y.** Advising that it has approved a Downtown Parking Study with review to be completed by a City Staff Garage Committee (City Solicitor, Finance Officer, Planning Director, Traffic Director and Destination Manchester Coordinator) with recommendations to be made back to the Committee at a later date.

### **SPECIAL COMMITTEE ON RIVERFRONT ACTIVITIES AND BASEBALL**

- Z.** Advising that they have consented to a temporary access easement agreement given by Tyson Prepared Foods, Inc. to Manchester Parkside Place, LLC to allow construction vehicles working on the Riverfront Development access across the former Jac Pac property.

**LADIES AND GENTLEMEN, HAVING READ THE CONSENT AGENDA,  
A MOTION WOULD BE IN ORDER THAT THE CONSENT AGENDA BE  
APPROVED.**

4. Communication from Mary Anne Totten, MD, submitting her resignation as a member of the Elderly Services Commission, effective January 1, 2005.  
**Ladies and Gentlemen, what is your pleasure?**
5. Nominations to be presented by Mayor Baines, if available.
6. Mayor Baines advises that a motion is in order to recess the regular meeting to allow the Committee on Finance to meet.
7. Mayor Baines calls the meeting back to order.

#### **OTHER BUSINESS**

8. Report of the Committee on Finance, if available.  
**Ladies and Gentlemen, what is your pleasure?**
9. Communication from Alderman Shea requesting the establishment of a Special Committee of five members to work with MHRA and staff regarding the development of the Hackett Hill area.  
**Ladies and Gentlemen, what is your pleasure?**
10. Communication from Alderman Gatsas inquiring as to why Aldermen were never apprised of legal fees totaling \$548,654.64 for the Riverfront Development Project.  
**Ladies and Gentlemen, what is your pleasure?**

11. Notice for reconsideration given by Alderman Gatsas on motion to accept a report of the Committee on Human Resources/Insurance authorizing the Human Resources Director to contract with Boston Mutual Insurance Company for the term life and accidental death and dismemberment insurance and with CIGNA for the long term disability insurance such contracts to be effected February 1, 2005.

*(Motion having carried with Aldermen Roy, Sysyn, Osborne, Porter, O'Neil, Lopez, Shea, DeVries, Garrity, Smith, Thibault and Forest voting yea, and Aldermen Gatsas and Guinta voting nay.)*

*Note: Should Alderman Gatsas or any member having voted in the affirmative so desire, a motion may be in order to reconsider.*

**Ladies and Gentlemen, what is your pleasure?**

12. Communication from the City Clerk requesting to change the March 1<sup>st</sup> meeting date of the Board, and suggesting that the March meetings be held on March 15 and March 29, 2005 to accommodate various scheduling and vacation plans.

**Ladies and Gentlemen, what is your pleasure?**

13. Communication from the Water Works Director requesting the Board's approval to enter into a Watershed Patrol Indemnification Agreement between Hillsborough County and the City of Manchester, Manchester Water Works.

**If the Board so desires, a motion is in order to approve the request, and authorize execution of such agreement subject to the review and approval of the City Solicitor.**

14. Communication from the Water Works Director requesting the Board's authorization and concurrence with the Water Works Commission to sell 87+/- acres of non-watershed surplus property located in the Town of Auburn.

**If the Board so desires, a motion is in order to approve the request, reaffirming former action to find the property surplus to City needs, authorizing the Mayor to dispose of such 87+/- acres of land through public sale, subject to the review and approval of the City Solicitor.**



- 15.** Warrant to be committed to the Tax Collector for collection under the Hand and Seal of the Board of Mayor and Aldermen for the collection of sewer charges.

*(Note: Clerk to present amount at meeting.)*

**Ladies and Gentlemen, what is your pleasure?**

- 16.** Resolutions: **(A motion is in order to read by titles only.)**

“Amending the FY2005 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of Ninety Six Thousand Seven Hundred Thirty Eight Dollars and Nine Cents (\$96,738.09) for FY2005 CIP 611305 MNHS Downpayment & Closing Cost Assistance.”

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**A motion is in order that the Resolutions pass and be enrolled.**

### **TABLED ITEM**

**A motion is in order to remove the following item from the table for discussion.**

- 17.** Report of the Committee on Lands and Buildings recommending that in accordance with RSA 80:80 the Mayor be authorized to dispose of certain property situated at Francis Street, known as Map 0861, Lot 0025-N by executing deeds relating all rights, title interest, or claims in said property. Said property formerly owned by Francisco F. Jardine was acquired by the City of Manchester by virtue of Tax Collector’s deed dated September 2, 1943 and recorded in Hillsborough County Registry of Deeds on September 9, 1943, Volume 1051, Page 0369.

The Committee recommends that said property be disposed of through public auction with a minimum bid to be set at \$14,000.

The Committee advises that it has found such property to be surplus to City needs; and that the Board of Assessors has provided an opinion of value in the range of \$20,000-\$40,000.

The Committee further recommends that the Tax Collector and City Solicitor be authorized to proceed with disposition and prepare such documents as may be required, and that the Finance Officer be authorized to credit tax dedeed accounts as deemed necessary.

*(Tabled 12/21/2004 pending updated communication from Assessor, and results of the 01/06/2005 Zoning Board of Adjustment hearing.)*

**18. NEW BUSINESS**

- a) Communications
- b) Aldermen

- 19.** Communication from the Chief Negotiator requesting to meeting with the Board for a negotiation strategy session.

**A motion is in order to recess the regular meeting to meet with the Chief Negotiator for a negotiation strategy session.**

- 20.** Mayor Baines calls the meeting back to order.

- 21.** If there is no further business, a motion is in order to adjourn.